



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/678,868

Filed:

October 3, 2003

Inventor(s):

Karen L. DeMartini

Title:

Leak Diverting Device

Examiner:

Unknown

Group/Art Unit:

3753

Atty. Dkt. No:

5863-00101

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Robert C. Kowert

Printed Name

February 18, 2004

gnature Date

INFORMATION DISCLOSURE STATEMENT

\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Please incorporate the document listed on the attached Form PTO-1449 into the electronic Information Disclosure statement previously filed. Please note that a fee authorization form was included with the electronic submission. Applicant requests that the one submitted fee be accepted for this subsequent submission.

Applicant requests consideration of \(\subseteq \) the references listed on the attached Form PTO-1449 and/or \(\subseteq \) the additional information identified below in paragraph 3.

- A copy of each required reference listed on the Form PTO-1449 is enclosed.
- The references listed on the Form PTO-1449 were previously cited in application serial no. 10/264,961 to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.

Ņ

			2003, or § 371 at	sent application is a U.S. national patent application filed after June 30, r an international application that entered the national stage under 35 USC fter June 30, 2003. Therefore, copies of the cited U.S. patents and/or U.S. pplication publications are not enclosed.	
	1.	This Information Disclosure Statement is submitted:			
		a.		within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.	
		b.		after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 (submitted with electronic IDS).	
		c.		after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.	
	2. It is hereby certified:			ified:	
		\boxtimes	was cite applicat designat	h item of information contained in this Information Disclosure Statement ed in a communication from a foreign patent office in a counterpart ion and that this communication was not received by any individual ted in § 1.56(c) more than thirty (30) days prior to the filing of the tion disclosure statement;	
			was cite	h item of information contained in this Information Disclosure Statement ed in a communication from a foreign patent office in a counterpart application not more than three (3) months prior to the filing of the ent; or	
·			was cite foreign after ma	item of information contained in the Information Disclosure Statement ed in a communication from a foreign patent office in a counterpart application or, to the knowledge of the person signing the certification aking reasonable inquiry, was known to any individual designated in § more than three (3) months prior to the filing of the Statement.	
	3.			eration of the following additional information (including any co-pending doned U.S. applications, prior uses and/or sales, etc.) is requested:	
	4.	For each non-English language reference listed on the attached Form PTO-1449:			
			referenc	ee is made to an English language translation submitted herewith, and/or	

Application Serial No. 10/678,868 - Filed October 3. 2003

		reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or					
		reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or					
		reference is made to the concise explanation contained in the specification of the present application at page(s), and/or					
		reference is made to the concise explanation set forth below:					
5.		Applicant also offers the following comments for the Examiner's consideration:					
6.	\boxtimes	Also enclosed is a copy of a foreign search report citing these references.					
7.		The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.					
8.		Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.					
	If any	required fees are missing, the Commissioner is authorized to charge said fees to					
Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5863-							
00101/RCK.							

Respectfully submitted,

Robert C. Kowert Reg. No. 39,255

Attorney for Applicant(s)

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P. O. Box 398 Austin, Texas 78767 (512) 853-8800

Date: February 18, 2004

Form PTO-1449 (modified publications

List of Patents and Publications

For Applicant's Information Disclosure Statement

TY. DKT. NO. 5863-00101

SERIAL NO. 10/678,868

APPLICANT: DeMartini

GROUP: 3753

(Use several sheets if necessary) FILING DATE: October 3, 2003 **U.S. PATENT DOCUMENTS** FILING DATE IF **CLASS NAME SUB** EXAM. REF. DOCUMENT NUMBER DATE APPROPRIATE **CLASS INITIALS** DES. 11/8/83 Jones A1 4,413,592 Miller 4/6/93 A2 5,199,457 A3 5,392,911 2/28/95 Gillispie, et al. Williams 6,202,689 3/20/01 A4 6,601,593 8/03 Deiss, et al. Fritz, Sammy G. 6,318,403 11/01 Whittaker, David S. 7/97 5,645,103 Alba, Donald 4,783,971 11/98 7/70 NA 3,519,233 4,689,511 8/87 Baker, et al. FOREIGN PATENT DOCUMENTS TRANSLATION **COUNTRY** CLASS SUB EXAM. REF. DOCUMENT NUMBER DATE YES/NO **CLASS INITIALS** DES. 2 272 553 5/18/94 A5 GB 100 62 361 6/20/02 DE **A6** 24 50 075 5/76 Germany 6/88 36 44 053 Germany OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) International Search Report for PCT/US 03/31588, mailed January 28, 2004, 8 pages. **A7**

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.